## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

LYNDA HUFFMAN,	§	Civil Action No.
Plaintiff	§	
	§	
D.R. HORTON - TEXAS, LTD.	§	
d/b/a D.R. HORTON,	§	JURY TRIAL DEMANDED
Defendant	§	

## PLAINTIFF'S ORIGINAL COMPLAINT

COMES NOW Plaintiff Lynda Huffman ("Plaintiff") and files this her Original

Complaint against DR Horton ("Defendant"), and for cause therefore would show the Court as
follows:

## I. PARTIES

- 1. Plaintiff Lynda Huffman (herein after "Huffman" or "Plaintiff") is an individual living in Harris County, Houston, Texas.
- Defendant DR HORTON, a/k/a D.R. HORTON TEXAS, LTD., a/k/a D.R. HORTON, INC., a/k/a D.R. HORTON AMERICA'S BUILDER (herein after "DR Horton" or "Defendant") is a for-profit entity with significant presence located in Harris County, Texas.
- 3. This Defendant may be served with process via registered agent, pursuant to the Texas Secretary of State: CT Corporation System, 1999 Bryan St. Ste. 900, Dallas, Texas 75201-3136. Defendant is further commanded under the Texas Rules of Civil Procedure to appear under it's duly designated name of business, regardless of iteration.

satisfy a pre-determined criteria if the expiration date of the ink associated with the identified tag has been exceeded.

- 8. (Cancelled).
- 9. (Currently Amended) The <u>printing</u> system of claim [[1]] <u>29</u>, wherein [[the]] <u>each</u> tag is attached to [[a]] <u>the associated</u> container <u>holding the ink</u>.
- 10. (Currently Amended) The <u>printing</u> system of claim 1, wherein the <del>data</del> signal from the <u>identified</u> tag is transmitted to the reader wirelessly.
- 11. (Currently Amended) [[A]] The printing system of claim 29, wherein each of the tags comprise radio frequency (RF) identification tags. for identifying characteristics of an ink, comprising:

a-memory which stores data; and

an RF source which generates RF signals, selective data being transmitted as the RF signals, and identifying at least one characteristic of the ink

- 12-24. (Cancelled).
- 25. (Currently Amended) The method of claim [[23]] <u>30</u>, wherein <u>reading</u> <u>comprises wirelessly reading</u> the data from the <u>identified</u> tag <u>is transmitted to the reader</u> <u>wirelessly</u>.
- 26. (Currently Amended) The method of claim [[25]] <u>30</u>, wherein the data from the <u>identified</u> tag is <u>transmitted</u> <u>read</u> via a radio frequency (RF) signal.
- 27. (Currently Amended) The method of claim [[23]] 30, further comprising disabling the printing system when the selective data does not satisfy a predetermined eriteria if the expiration date of the ink associated with the identified tag has been exceeded.

## 28. (Cancelled).

29. (New) A printing system comprising:

a plurality of ink containers, each ink container comprising an ink and an associated tag, each tag comprising data that identifies the manufacturing date of the associated ink, each ink comprising an expiration date;

a reader adapted to read the data from an identified tag; and a controller coupled to the reader, the controller adapted to determine if the expiration date of the ink associated with the identified tag has been exceeded.

30. (New) A method for use with a printing system that comprises a plurality of ink containers, each ink container comprising an ink that comprises an expiration date, the method comprising:

providing a plurality of tags;

uniquely associating each tag with a corresponding one of the containers, each tag comprising data that identifies the manufacturing date of the associated ink; reading the data from an identified tag; and

determining if the expiration date of the ink associated with the identified tag has been exceeded.